UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND Baltimore Division

CBRE REALTY FINANCE TRS, LLC,)	
Plaintiff,)	
v.) Case No. 08-cv-196	54
BRIAN A. McCORMICK)	
and)	
CHARLES W. MOORE,)	
Defendants.)	
)	

DEFENDANTS' MOTION TO CLARIFY AND/OR TO EXTEND DEADLINE TO MAKE RULE 26(a)(2)(A) EXPERT DISCLOSURES

COME NOW, the Defendants Brian A. McCormick and Charles W. Moore (hereinafter collectively "Defendants") and move this Court for an order clarifying the Court's December 9, 2009 scheduling orde,r declaring that they have complied with the order as it applies to the required Rule 26(a)(2)(A) disclosures, and/or extending the time for them to do so.

In support of the Defendants incorporate their Memorandum in Support of Defendants' Motion to Clarify and/or To Extend Deadline to Make Rule 26(a)(2)(A) Expert Disclosures herein by reference.

WHEREFORE, the Defendants respectfully request that the Court enter an order:

- 1. Clarifying the Court's Scheduling Order dated December 9, 2008;
- 2. Declaring that they have complied with the Court's Scheduling Order as it applies to the required Rule 26(a)(2)(A) disclosures; and/or

- 3. Extending the deadline for the Defendants to provide their Rule 26(a)(2)(A) disclosures, including a deadline to submit an expert report 30 days after the close of fact discovery; and
- 4. Granting such further relief as the Court deems just.

BRIAN A. McCORMICK and CHARLES W. MOORE,

By their attorneys,

/s/ Ryan D. Sullivan

Joseph S.U. Bodoff (D. Md. Bar No. 92160) Ryan D. Sullivan (D. Md. Bar No. 16382) Bodoff & Associates, P.C. 120 Water Street Boston, MA 02109 (617) 742-7300

Dated: June 12, 2009

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 104(7)

I, Ryan D. Sullivan hereby certify that prior to filing the instant Motion of the Defendants to Clarify and/or to Extend Deadline to Make Rule 26(a)(2) Expert Disclosure (hereinafter "Motion to Extend"), Joseph S.U. Bodoff of this office sent an e-mail on May 29, 2009 to counsel for the Plaintiff, George R. Calhoun V, requesting that the Plaintiff's agree to an extension of the Rule 26(a)(2) Expert Disclosure Deadline in a good faith effort to resolve this dispute. By letter dated June 1, 2009 addressed to Joseph S.U. Bodoff and myself, George R. Calhoun, V stated that the Plaintiff's would not agree to such an extension.

/s/Ryan D. Sullivan